

REMARKS

Claims 12-26 are pending in this application.

In light of Applicants' election of claims 12-26 for prosecution on the merits, Applicants have canceled claims 1-11. The cancellation of claims 1-11 does not introduce any new matter. Applicants reserve the right to pursue nonelected claims 1-11 in a timely filed divisional application.

Applicants appreciate the Examiner's prompt indication that claims 15 and 20-22 define allowable subject matter. Applicants' responses to the issues raised in the Office Action are set forth below.

Applicants respectfully request reconsideration of the rejection of claims 12-14, 16-18, and 24-26 under 35 U.S.C. § 102(e) as being anticipated by Sun et al. (U.S. Patent Publication No. US 2002/0100416 A1). As will be explained below, the Sun et al. reference does not disclose each and every feature specified in independent claim 12.

In support of the anticipation rejection, the Examiner asserts, among other things, that the Sun et al. reference discloses a deposition chamber (15) having a conduit (line 102) coupled to an inlet of the deposition chamber. Applicants respectfully traverse the Examiner's characterization of the Sun et al. reference relative to independent claim 12. Applicants submit that the chamber (15) relied upon by the Examiner is not the deposition chamber shown by Sun et al. Rather, the deposition chamber shown by Sun et al. is deposition chamber 110 shown in Figure 1. The conduit relied upon by the Examiner (line 102) is not coupled to the inlet of deposition chamber 110. Instead, line 102 is coupled to, among other things, a three-way valve 108. The flow from three-way valve 108 is directed toward deposition chamber 110 through either of lines 109 or 111. Neither line 109 nor line 111 has first and second branches as specified in independent claim 12. As such, Applicants

respectfully submit that the Sun et al. reference does not disclose a particle deposition system as defined in independent claim 12.

Turning to independent claim 24, Applicants do not traverse the Examiner's characterization of the Sun et al. reference relative to claim 24. Applicants hereby inform the Examiner, however, that Applicants had possession of the claimed invention before the effective date of the Sun et al. reference, i.e., before January 30, 2001. Applicants will be submitting a supplemental response including an appropriate declaration setting forth facts sufficient to establish that Applicants had possession of the claimed invention before the effective date of the Sun et al. reference. Upon submission of evidence that antedates the Sun et al. reference, Applicants submit that independent claim 24 will be in condition for allowance.

For at least the foregoing reasons, independent claim 12 is patentable under 35 U.S.C. § 102(e) over Sun et al. Regarding independent claim 24, upon submission of the supplemental response discussed above, the Sun et al. reference will not be available as prior art against the subject application and, therefore, claim 24 will be patentable over the prior art of record.

Applicants respectfully request reconsideration of 1) the rejection of claim 19 under 35 U.S.C. § 103(a) as being unpatentable over Sun et al. in view of Loan et al. (U.S. Patent No. 6,136,725), and 2) the rejection of claim 23 under 35 U.S.C. § 103(a) as being unpatentable over Sun et al. in view of Liu et al. (U.S. Patent No. 4,928,537). Neither the Loan et al. reference nor the Liu et al. reference cures the above-mentioned deficiencies of the Sun et al. reference relative to independent claim 12. As such, neither of the asserted combinations would have suggested to one having ordinary skill in the art the subject matter defined in independent claim 12.

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Response to Office Action mailed February 13, 2003

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of claims 12-26, and submit that claims 12-23 are in condition for allowance and claims 24-26 will be in condition for allowance upon submission of evidence that antedates the Sun et al. reference. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 749-6902. If any additional fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. SCATP001).

Respectfully submitted,
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A handwritten signature in black ink, appearing to read 'Peter B. Martine', with a stylized flourish at the end.

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